

PTO/SB/21 (03-03)

Approved for use through 04/30/2003. OMB 0651-0031

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| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | | Application Number | 10/797,157 |
| | | Filing Date | 03/09/2004 |
| | | First Named Inventor | Martin OFT |
| | | Art Unit | 1645 |
| | | Examiner Name | |
| Total Number of Pages in This Submission | 11* | Attorney Docket Number | DX06022 US 01 |

ENCLOSURES (Check all that apply)

| | | |
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| <input type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> After Allowance Communication to Group |
| <input type="checkbox"/> Fee Attached | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
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| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input type="checkbox"/> Status Letter |
| <input type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Terminal Disclaimer | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): |
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| <input checked="" type="checkbox"/> Supplemental Information Disclosure Statement (2 pages) | <input type="checkbox"/> CD, Number of CD(s) _____ | |
| <input type="checkbox"/> Certified Copy of Priority Document(s) | Other Enclosures/Remarks: | |
| <input type="checkbox"/> Response to Missing Parts/Incomplete Application | <ul style="list-style-type: none">• Form PTO/SB/08 (1 page)• copy of PCT International Search Report (7 pages)• cited references AW-BB• Return Receipt Postcard | |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | * cited references are not included in page count | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | | | |
|--------------------|--|--|--|
| Firm or Individual | Sheela Mohan-Peterson, Reg. No. 41,201 DNAX Research, Inc. 901 California Ave. Palo Alto, CA 94304-1104 | | |
| Signature | | | |
| Date | January 7, 2005 | | |

CERTIFICATE OF TRANSMISSION/MAILING

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| I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this date indicated below: | | | |
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This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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Attorney Docket: DX06022 US 01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Martin OFT, et al.

Application No.: 10/797,157

Filed: March 9, 2004

For: USES OF IL-23 AGONISTS AND
ANTAGONISTS; RELATED
REAGENTS

Examiner: Unknown

Art Unit: 1645

Conf. No.: 4687

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

by:


MELANIE LYONS

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 C.F.R. §1.56, §1.97, and §1.98, Applicants bring the enclosed documents to the attention of the Examiner. These documents were cited in the enclosed corresponding International Search Report prepared by the International Searching Authority search report, dated October 8, 2004. A modified form PTO/SB/08 listing said documents is enclosed.

Applicants certify pursuant to 37 CFR § 1.97(e) that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement.

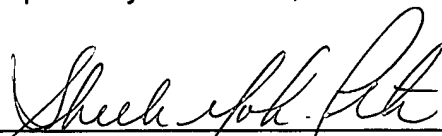
Citation of these documents should not be construed as a representation that the documents are in fact material or are in fact prior art with respect to the instant invention. The Examiner should not make any inference relating to the relative pertinence of cited references based upon the order in which the art is presented. Citation of these documents should not be construed as a representation that a search has been made or that more pertinent art may not be in existence.

Applicants request that the Examiner fully consider the art cited in the attached PTO/SB/08A form. Applicants further request that the Patent and Trademark Office list all such art on the front of any patent issuing from this application.

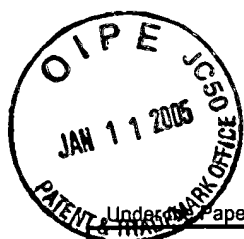
Applicants believe no fee is required for filing this document; however, if such a fee is required the Commissioner is hereby authorized to charge DNAX Research Institute Deposit account no. 04-1239.

Respectfully submitted,

Date: January 7, 2005

By: 
Sheela Mohan-Peterson, Reg. No. 41,201
Attorney for Applicants

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PTO/SB/08A (08-03)

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Substitute for form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

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| Application Number | 10/797,157 |
| Filing Date | 03/09/2004 |
| First Named Inventor | Martin OFT |
| Art Unit | 1645 |
| Examiner Name | |
| Attorney Docket Number | DX06022 US 01 |

Sheet 1 of 1

U.S. PATENT DOCUMENTS

| Examiner Initials* | Cite No. ¹ | DOCUMENT NUMBER | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant, Passages or Relevant Figures Appear |
|-----------------------|--------------------------|--|--------------------------------|--|--|
| | | Number-Kind Code ² (if known) | | | |
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FOREIGN PATENT DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Foreign Patent Document | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant, Passages or Relevant Figures Appear | T ⁶ |
|-----------------------|--------------------------|---|--------------------------------|--|--|----------------|
| | | Country Code ³ Number ⁴ Kind Code ⁵ (if known) | | | | |
| | AW | WO 01/18051 A2 | 03-15-2001 | Schering Corporation | | |
| | AX | WO 01/85790 A2 | 11-15-2001 | Schering Corporation | | |
| | AY | WO 02/29060 A2 | 04-11-2002 | Immunex Corporation | | |
| | AZ | WO 02/097048 A2 | 12-05-2002 | Centocor, Inc. | | |

NON PATENT LITERATURE DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ² |
|-----------------------|--------------------------|---|----------------|
| | BA | UGAI, <i>et al.</i> (2003) <i>Cancer Gene Therapy</i> 10:771-778 "Transduction of the IL-21 and IL-23 genes in human pancreatic carcinoma cells produces natural killer cell-dependent and -independent antitumor effects" | |
| | BB | LO, <i>et al.</i> (2003) <i>J. Immunol.</i> 171:600-607 "Antitumor and Antimetastatic Activity of IL-23" | |
| | | | |

| | |
|-----------------------|--------------------|
| Examiner Signature | Date Considered |
|-----------------------|--------------------|

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.¹ Applicant's unique citation designation number (optional).² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04.³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3).⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible.⁶ Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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